## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

V

ROBERT MENENDEZ, NADINE MENENDEZ, WAEL HANA, and FRED DAIBES,

Defendants.

23-Cr-490 (SHS)

**ORDER** 

SIDNEY H. STEIN, U.S. District Judge.

In letters dated June 30 and July 2, 2024, the government objected to the admission of portions of Michael Critchley's deposition testimony. Menendez responded with a letter on June 30, 2024, and Hana responded on July 2, 2024.

The Court hereby grants the government's motion to strike the following sections of Critchley's testimony:

| Transcript Citation             | Basis for Striking               |
|---------------------------------|----------------------------------|
| 24:5-16, 24:19-25               | Rules 401 and 701                |
| 25:12-28:12                     | Rules 401, 403, and 701; hearsay |
| 28:18-29:18                     | Rules 401 and 403                |
| 29:19-25, 30:11-32:8            | Rules 401 and 403; hearsay       |
| 32:22-33:13                     | Rules 401 and 403                |
| 33:14-17                        | No answer to the question        |
| 33:21-34:6                      | Rules 401 and 403                |
| 48:2-12                         | Rules 401, 403, and 701; hearsay |
| 57:20-25                        | Leading question                 |
| 62:13-63:2                      | Rules 401, 403, and 701          |
| 71:1-13                         | Rules 401 and 403; hearsay       |
| 71:18-24                        | Rules 401 and 403                |
| 100:3-102:9                     | Rules 401, 403, and 701          |
| 103:14-104:23, 105:20-<br>106:3 | Rules 403 and 701                |

The government's remaining objections are denied.

The Court also grants Menendez's motion to strike the following section of Critchley's cross-examination:

| Transcript Citation    | Basis for Striking      |
|------------------------|-------------------------|
| 76:2-78:9, 78:14-79:15 | Rules 401, 403, and 701 |

Menendez's remaining objections were withdrawn in his June 30, 2024 letter.

Dated: New York, New York July 2, 2024

SO ORDERED:

Sidney H. Stein, U.S.D.J.